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**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

UNITED STATES OF AMERICA,

v.
Plaintiff,

OMONIYI JOHNATHAN OMOTERE.

Defendant

Case No. 2:21-cr-181-GMN-DJA

**Stipulation To Continue
Sentencing Hearing
(First Request)**

IT IS HEREBY STIPULATED AND AGREED, by and between Jason M. Frierson, United States Attorney, and Kimberly M. Frayn, Assistant United States Attorney, counsel for the United States of America, and Mace J. Yampolsky, Esq., counsel for OMONIYI JOHNATHAN OMOTERE, that the sentencing hearing in the abovementioned case, which is currently scheduled for March 13, 2024 at 10:00 a.m., (ECF 105), be continued and reset to a date and time convenient to the Court but not earlier than 90 days from the current hearing date for the following reasons:

1. The government and defense need additional time to prepare for the sentencing hearing.

2. The defendant is not incarcerated and does not object to the continuance.

3. The parties agree to the continuance.

5. The additional time requested herein is not sought for purposes of delay, but merely to allow the parties sufficient time within which adequately prepare for the sentencing hearing. Additionally, denial of this request for continuance could result in a miscarriage of justice, and the ends of justice served by granting this request, outweigh the best interest of the public and the defendant in a speedy sentencing hearing.

6. This is the first stipulation to continue the hearing.

DATED this 5th day of March, 2024.

JASON M. FRIERSON
United States Attorney

/s/ Mace J. Yanpolsky, Esq.

By

MACE J. YAMPOLSKY, ESQ.,
Counsel for defendant Omotere

/s/ Kimberly M. Frayn

By

KIMBERLY M. FRAYN
Assistant United States Attorney

**UNITED STATES DISTRICT COURT
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UNITED STATES OF AMERICA,

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Defendant.

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Findings of Fact, Conclusions of Law and Order

FINDINGS OF FACT

Based on the pending Stipulation of counsel, and good cause appearing therefore, the Court finds that:

1. The government and defense need additional time to prepare for the sentencing hearing.

2. The defendant is not incarcerated and does not object to the continuance.
3. The parties agree to the continuance.

5. The additional time requested herein is not sought for purposes of delay, but merely to allow the parties sufficient time within which adequately prepare for the sentencing hearing. Additionally, denial of this request for continuance could result in a miscarriage of justice, and the ends of justice served by granting this request, outweigh the best interest of the public and the defendant in a speedy sentencing hearing.

6. This is the first stipulation to continue the hearing.

ORDER

THEREFORE, IT IS HEREBY ORDERED that the sentencing hearing in the above-captioned matter, currently scheduled for March 13, 2024, at 10:00 a.m., shall be vacated and continued to June 10, 2024, at the hour of 9:00 a.m.

DATED this 5 day of March 2024.

HONORABLE GLORIA M. NAVARRO
United States District Court Judge